



IAP7 Rec'd PCT/PTO 22 MAY 2006

PCT

Attorney Docket # 5284-61PUS

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re National Phase PCT Application of

Etienne ANNIC

Serial No.: 10/540,953 ✓

Filed: June 27, 2005

For: System and Method for Resource Management in a Terminal Connected to a Communication Network

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

May 19, 2006

(Date of Deposit)

Thomas Langer

Name of applicant, Assignee or Registered Representative

Thomas Langer

Signature

May 19, 2006

Date of Signature

PETITION UNDER 37 CFR 1.181

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

FACTS

The USPTO issued a NOTIFICATION OF MISSING REQUIREMENTS which was mailed on December 30, 2005.

The undersigned checked Private PAIR on May 4, 2006 and noticed that a NOTIFICATION was mailed by the USPTO. A check of our file and of our office revealed that the NOTIFICATION was not received.

A telephone call was placed to Customer Service that same day, and Ms. Wanda Banks promptly faxed the NOTIFICATION to us.

The NOTIFICATION indicated that the only "missing" item is an oath or declaration of the inventors.

Our file includes a copy of PCT/RO/101 (copy enclosed) which includes an executed Declaration by the inventors on page 4.

A telephone call was placed to Customer Service on May 18, 2006. Mr. Paul Bell checked the WIPO website and confirmed to the undersigned that (i) the executed Declaration is clearly of record and (ii) the NOTIFICATION was therefore mistakenly sent out by the USPTO. Mr. Bell advised the filing of this petition without a petition fee and without a fee for obtaining a two-month extension.

ACTION REQUESTED

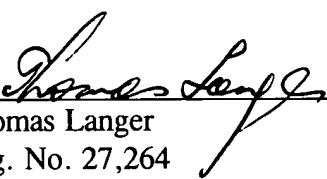
Applicants are not requesting a re-start of the date for responding to the NOTIFICATION because of its non-arrival by mail. This is academic if the NOTIFICATION is unwarranted *ab initio*.

Applicants are requesting a withdrawal of the NOTIFICATION as being inappropriate in view of the fact that an executed Declaration was properly filed in the PCT application.

AUTHORIZATION TO CHARGE FEES

It is believed that no fees are due in connection with the submission of this paper. However, if the USPTO deems that fees are due, then such fees can be charged to our Deposit Account No. 03-2412.

Respectfully submitted,
COHEN, PONTANI, LIEBERMAN & PAVANE

By: 

Thomas Langer
Reg. No. 27,264
551 Fifth Avenue
New York, New York 10176
(212) 687-2770

Dated: 19 May 2006